

### **REMARKS**

This Application has been carefully reviewed in light of the Office Action mailed September 25, 2006. At the time of the Office Action, Claims 1-64 were pending in this Application. Claims 1-3, 6-12, 17, 21, 22, 28-47, and 51 were rejected. Claims 4, 5, 13-16, 23-27, 48-50, and 52-64 were objected to. Claims 18-20 were allowed.

#### **Double Patenting Rejection**

The Examiner provisionally rejected Claims 1-3, 6-12, 17, 21, 22, 28-47, and 51 on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claims 1-9, 15-22, 34, and 35 of U.S. Patent Application Serial No. 10/956,565 (now U.S. Patent No. 7,126,557, issued October 24, 2006). Applicant encloses a Terminal Disclaimer to overcome these rejections, and authorizes the Commissioner to charge the \$130.00 fee to Deposit Account 50-2148.

#### **Allowable Subject Matter**

Applicant appreciates the Examiner's allowance of Claims 18-20.

Applicant also appreciates Examiner's consideration and indication that Claims 4, 5, 13-16, 23-27, 48-50, and 52-64 would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. This comment is confusing to Applicant, and Applicant assumes that the Terminal Disclaimer will make these claims allowable.

**CONCLUSION**

Applicant has made an earnest effort to place this case in condition for allowance in light of the amendments and remarks set forth above. Applicant respectfully requests reconsideration and allowance of all pending claims.

Applicant believes a fee as required under 37 C.F.R. §1.17(a)(2) is due with this response in connection with the request for a two-month extension of time. This fee is included with this response. Applicant authorizes the Commissioner to charge the amount of \$225.00 for the Request for Extension of Time. Applicant believes there are no additional fees due at this time, however, the Commissioner is hereby authorized to charge any fees necessary or credit any overpayment to Deposit Account No. 50-2148 of Baker Botts L.L.P.

If there are any matters concerning this Application that may be cleared up in a telephone conversation, please contact Applicant's attorney at 512.322.2634.

Respectfully submitted,  
BAKER BOTTS L.L.P.  
Attorney for Applicants



Ann C. Livingston  
Reg. No. 32,479

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SEND CORRESPONDENCE TO:  
BAKER BOTTS L.L.P.  
CUSTOMER ACCOUNT NO. **31625**  
512.322.2634  
512.322.8383 (fax)